BEFORE THE DIVISION OF OIL, GAS AND MINING **DEPARTMENT OF NATURAL RESOURCES** STATE OF UTAH

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IN THE MATTER OF TENTATIVE

DECISION TO APPROVE A NOTICE NOTICE OF TENTATIVE

OF INTENTION TO COMMENCE LARGE

MINING OPERATIONS FOR

PROGRESSIVE CONTRACTING, INC.,

PCI-FORT PIERCE MINE, WASHINGTON COUNTY, UTAH

DECISION TO APPROVE

NO. M/053/0081

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Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Notice of Intention to Commence Large Mining Operations (Notice) for the PCI- Fort Pierce Mine. Mining activities will affect portions of the following area: West 1/2 of the Northwest 1/4 of Section 16, and portions of the East 1/2 of the East 1/2 of the Northeast 1/4 of Section 17, Township 43 South, Range 15 West, SLBM, Washington County, Utah. A copy of the Notice is available for public inspection at the Division's public information center.

Any person or agency aggrieved by this tentative decision may file a written protest within thirty (30) days of the date of publication to Dana Dean, P.E., Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint.

DATED THIS 19th day of Dec. 2012

STATE OF UTAH DIVISION OF OIL, GAS AND MINING

Dana Dean, P.E.

Associate Director, Mining

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Progressive Contracting, Inc. PCI- Fort Pierce Mine M/053/0081 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 19th day of December 2012 to:

FACSIMILE: 801-204-6399

E-MAIL: naclegal@mediaoneutah.com

Salt Lake Tribune Legal Department 90 South 400 West, Suite 700 Salt Lake City, Utah 84101

FACSIMILE: 435-674-6264

EMAIL: legalads@thespectrum.com

Spectrum 275 East St George Blvd St George, Utah 84770

CERTIFIED RETURN RECEIPT 7011 0110 0001 3568 0383

Progressive Contracting, Inc. 230 East Tabernacle PO Box 1930 St George, Utah 84770

CERTIFIED RETURN RECEIPT 7011 0110 0001 3568 0390

School and Institutional Trust Lands Administration 675 East 500 South, Suite 500 Salt Lake City, Utah 84102

CERTIFIED RETURN RECEIPT 7011 0110 0001 3568 0406

Washington County Planning Department 197 East Tabernacle Street St. George, Utah 84770

Emily Berry, Secretary

M0530081